

Minutes
Catawba County Board of Commissioners
Regular Session, Monday, May 6, 2002, 9:30 a.m.

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The Catawba County Board of Commissioners met in regular session on Monday, May 6, 2002, 9:30 a.m., at the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chairman W. Steve Ikerd, Vice-Chair Marie H. Huffman, and Commissioners Katherine W. Barnes, Barbara G. Beatty, and Dan A. Hunsucker.

Absent: None.

A quorum was present.

Also present were County Manager/Deputy Clerk J. Thomas Lundy, Deputy County Manager Steven D. Wyatt, Assistant County Manager Mick W. Berry, County Attorney Robert Oren Eades, County Staff Attorney Debra Bechtel, and County Clerk Thelda B. Rhoney.

1. Chairman Ikerd called the meeting to order at 9:30 a.m.
2. Invocation was offered by Chairman Ikerd. Chairman Ikerd said he presented a proclamation for the National Day of Prayer on Thursday, May 2, 2002, at Hickory City Hall. He said there was an hour of prayer which was moving especially during a time when cities and counties are facing crisis, emergencies and budget shortfalls.
3. Commissioner Barnes made a motion to approve the minutes from the regular session of Monday, April 15, 2002. The motion carried unanimously.

4. Special Guests:

Chairman Ikerd recognized Mr. Lewis Woods, NAACP, and Candidates Jesse Salwen and Gerald Kamp.

5. Presentation of Proclamations:

- a. Commissioner Huffman presented a proclamation for Emergency Medical Service Week to Charles E. Moody, Jr., Emergency Services Director.

Mr. Moody said after a lot of work they would start receiving additional funding through Medicare.

- b. Commissioner Hunsucker presented a proclamation for Mental Health Month to John M. Hardy, Mental Health Director.

Mr. Hardy said he looks forward to working through the change issues in Mental Health.

- c. Commissioner Beatty presented a proclamation for Older Americans Month to Grace E. McLeod, Social Work Program Manager.

Ms. McLeod said some of the cornerstone programs are in a critical state. They are doing extra public relations efforts and invited the Commissioners to a public forum at The Belk Centrum, Lenoir-Rhyne College on Friday, May 17, 2002, from 3:00 – 5:00 p.m. She said the idea started in Catawba County and spread to the univofour because the impact is great if the Community Alternatives Program for Disabled Adults disappears. It has been under a freeze since October and a concern now is options for those already enrolled in the program now will force many into nursing home placement and families who wish to retain someone at home will have to give up their jobs to keep family members in the home. She said they do not want to lose the program because it is a core element of the continuum of care. They have asked elected officials, health care professionals, clients, caregivers, and staff from the NC Department Health and Human Services to attend.

6. Special guests not listed on agenda:

- a. Mr. Lewis Woods, NAACP representative, thanked the Commissioners for maintaining the Courthouse grounds.

7. Appointments:

Child Advocacy Center

Commissioner Beatty recommended the appointments of Dr. Kiran Harrill, Susan Hanley, Lisa Webber,

Catherine Dillon and Judy White Tate. (These appointments will fill the vacancies and add three additional board members.)

Hickory Regional Planning Board

Chairman Ikerd recommended the reappointment Dr. John C. Eldridge for a second, three-year term, which will expire June 30, 2005.

Repay Board of Directors

Commissioner Beatty recommended the reappointment of Jennifer Sumpter for a first, three-year term, which will expire April 30, 2005.

Social Services Board

Barbara Beatty recommended that she be reappointed for a three-year term, which expires June 30, 2005.

Transportation Advisory Board

Commissioner Huffman recommended the following:

1. Joel David Cherry, Faith Community Representative, reappointed for a first, two-year term, which will expire March 14, 2004.
2. Allen W. Mackie, representing Employment Security Commission/Job Link Career Centers/School-to-Work, reappointed for a second, two-year term, which will expire March 14, 2004.
3. Scott L. Millar, representing Chamber of Commerce, Economic Development and Business/Industry, reappointed for a fourth, two-year term, which will expire March 14, 2004.
4. Charles E. Moody, Jr., representing Emergency Medical Services, reappointed for a third, two-year term. The term will expire March 14, 2004.
5. William D. Stedman, Private Citizen Representative, reappointed for a fourth, two-year term, which will expire March 14, 2004.
6. John Blevins, Community Services Coordinator, representing Core Human Service and Program Representatives, appointed for a first, two-year term, which will expire March 14, 2004.

Commissioner Huffman made a motion to approve the aforementioned appointments. The motion carried unanimously.

8. Consent agenda:

County Manager J. Thomas Lundy requested that items b. and e. be removed from consent and placed under departmental reports for further discussion. He reviewed the remaining consent agenda items.

a. Mental Health Budget Revision.

Mr. Lundy said the Board of Commissioners are requested to approve the Mental Health Board's request that the current budget be increased by a net \$465,266 bringing it to \$16,532,085. Increased revenues are from State MR/MI Diversion Funds [\$183,153], Medicaid [\$265,750], and MH Fund Balance [\$25,000]. An \$8,637 reduction is made to Smart Start dollars.

These adjustments appropriate additional funds for the following:

- The second six-month allotment of MR/MI Diversion Funds to be passed through this area program during this fiscal year to Frye Regional Medical Center for the purpose of diverting services from State facilities to more local units of care for eligible individuals in need of intensive treatment [\$183,153]
- One-time grant from MH Fund Balance dollars for capital needs of Econoforce [\$25,000]
- Increase to contracted services for meeting the service needs of individuals eligible for Medicaid reimbursement [\$200,000]
- Additional Medicaid earnings being realized by Adult Life Programs through increased psychosocial rehabilitation activity for consumers served by that program [\$50,000]
- One additional case manager to work with the severe and persistently mentally ill [SPMI] population served by this agency [\$15,750]
- Smart Start funds are reduced by \$8,637 to more accurately current operational expenses of that program.

One new case manager [MH Clinician II] is added with Medicaid funding. No additional County funding is requested. The Budget Manager and Personnel Manager have reviewed this revision. The

Finance and Personnel Subcommittee recommended that the Board of Commissioners approve the revision.

Supplemental Appropriations

Account Number		Account Number	
110 531001		110 531001	
868124 Adult Life Programs	50,000	672151 Contract Medicaid	170,000
915570 Medicaid Services	<u>120,000</u>		
	170,000		
110 531011		110 531011	
812100 Regular Wages	7,626	672102 Medicaid	15,750
821100 FICA	615		
822100 Retirement	381		
823100 Gr Health Ins	600		
841010 Travel & Transp	6,000		
849160 Pers Indirect Costs	<u>528</u>		
	15,750		
110 533001		110 533001	
911350 MR/MI Services	183,153	633209 MR/MI Funds	183,153
110 532001		110 532001	
915570 Medicaid Services	80,000	672151 Contract Medicaid	80,000
110 533001		110 533001	
916300 Econoforce	25,000	690101 MH Fund Balance	25,000
110 532023		110 532023	
812100 Regular Wages	(2,269)	635750 Smart Start	(8,637)
821100 FICA	(174)		
831005 Office Supplies	800		
831090 Other Oper Supp	3,500		
841010 Travel & Transp	1,500		
841020 Training & Educatn	(2,500)		
841025 Dues & Subscriptns	(200)		
841030 Printing & Binding	1,400		
841505 Phone Service	(3,700)		
842090 Other Utilities	(161)		
843520 Building Rent	756		
834550 Office Eqpmt Rent	100		
856900 Other Prof Svcs	(9,289)		
870150 Minor IT Eqpmt	<u>1,600</u>		
	(8,637)		

- b. Dispute Resolution Policy. **(Removed from consent and presented under Departmental Reports.)**
- c. Sale of Structures – Blackburn Landfill.

Mr. Lundy said that a Mr. Robert L. Shuford, III, offered to purchase all of the structures located on parcel 3618-02-65-7699 for \$100 located near the Blackburn Landfill. Several years ago the County purchased a 4.99-acre tract for a buffer area around the Blackburn Landfill. The parcel is located near the old Construction & Demolition Landfill. Catawba County needs the land, but not the structures. The structures located on the parcel are in poor condition and of little value. The house is the old home place of the Shuford family and Mr. Shuford wants to restore the house as a family museum. Mr. Shuford is requesting a five-year renewable lease on the land, to go with the purchase of the structures.

As part of the buffer area for Blackburn Landfill, the structures cannot be used as a residence or occupied for any other purpose. The County has no use for the structures and they will eventually be destroyed. Utilities and Engineering Director Barry Edwards agreed that the structures have no value to Blackburn Landfill and could be sold. Staff is sympathetic to Mr. Shuford's request, but it is not feasible to grant a long-term lease on this property. EPA regulations are getting more restrictive each year. It is important that the County not give up control or flexibility of the buffer area. Also, the definition or requirements for a landfill buffer area could change at anytime. The Board may be flexible after two-years for the removal of the structures unless the property is needed for the landfill.

The Public Works Subcommittee recommended that the Board of Commissioners authorize the sale of all of the structures located on parcel 3618-02-65-7699 by the public auction method on June 7, 2002, 10:00 a.m., on the parcel located on Beech Tree Street, Newton, Catawba County, North Carolina. Staff recommended the following two conditions of the sale: (1) Grant the buyer up to two years to remove the structures; and (2) purchaser must provide proof of \$500,000 of general liability insurance before possession and hold the County harmless. Mr. Lundy said Mr. Shuford was in the audience.

**Resolution No. 2002-10
Declaration of Surplus Property
and Authorization of Sale at Public Auction**

WHEREAS, Catawba County has the authority to declare property no longer needed as surplus and dispose of it according to the precepts of NCGS 160A-270; and

WHEREAS, the following property is no longer needed for any governmental use by Catawba County:

House and out buildings located on parcel 3618-02-65-7699, adjacent to the Blackburn Construction and Demolition Landfill. Only the structures are being sold, not the real property upon which they are presently located.

WHEREAS, It is the intention of the County to sell said items at public auction, at 10:00 a.m., on Friday, June 7, 2002, on parcel 3618-02-65-7699 located on Beech Tree Street, Newton, Catawba County, North Carolina; and

WHEREAS, notice of this resolution will be duly advertised thirty days prior to sale; and

WHEREAS, all items sold as is, all sales final, cash or approved check only, purchaser must provide proof of \$500,000 of general liability insurance before possession, all structures have to be removed from the property by midnight on June 7, 2004;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby declares said property as surplus and authorizes the Purchasing Agent to sell said property at public auction to the highest bidder on Friday, June 7, 2002.

This the 6th day of May, 2002.

/s/ W. Steve Ikerd, Chairman, Catawba County Board of Commissioners

d. **Medicaid Cost Settlement.**

The Finance and Personnel Subcommittee recommended the Medicaid Cost Settlement in the amount of \$154,533.76 be appropriated to regular wages, overtime wages, and FICA of EMS budget for the current budget year 2001-2002. The cost settlement was approved by Medicaid in 2000 and will be received annually based on cost of operation and number of approved Medicaid Transports. The amount is determined by approved transports versus cost of operation less an initial base payment. This settlement is to be applied to salary, overtime and FICA accounts as follows:

1. Overtime payments to paramedics were under-budgeted based on historical trends and then exacerbated by sickness and injury of EMS full-time personnel.
2. The EMS budget was cut \$118,000 in January in response to the State withholding reimbursements. This budget reduction was accomplished by delaying hiring of three

paramedic positions. The service impact was changing from ambulance to quick response vehicle at Propst and Sherrills Ford bases on some shifts (40 in the last 9 months).

This appropriation of Medicaid Cost Settlement reimbursement will enable EMS to fill the vacant positions and remain at full staffing.

Recommendation:

110-260150-641100, Medicaid EMS Transport	\$154,533.76
110-260150-812100, Regular Wages	\$ 12,000.00
110-260150-812200, Overtime Wages	\$130,000.00
110-260150-821100, FICA	\$ 12,533.76

- e. Resolution to continue Numeric Grading System (Public Health Department). **(Removed from consent and presented under Departmental Reports.)**
- f. Tax Refund Requests – May 2002.

Three refund requests totaling \$458.37 were made to the Tax Office. The records were checked and the refunds verified. According to General Statute 105-381, a taxpayer who has paid his taxes may request a refund (in writing) for the amount that was paid through error.

Refund Requests – May, 2002

Caruso, Gerald Robert, 3760 Rene Lane, Maiden, NC 28650, Account No. 137365.

In 2001 Mr. Caruso's tagged 1998 Prowler camper was listed for taxes in January. This resulted in two bills received for the same camper and taxes were double-paid in error. A refund is requested for the applicable amount.

<u>Year</u>	<u>Value</u>	<u>County</u>		<u>Denver Rural Fire</u>		<u>Total</u>
		<u>Rate</u>	<u>Tax</u>	<u>Rate</u>	<u>Tax</u>	
2001	17,050	.495	84.40	.032	5.46	\$ 89.86

Finger, Ervin Preston, 2725 Sherlock Street, Claremont, NC 28610, Account No. 020751000

A former appraiser listed a house on the incorrect lot for 2001. This was PIN 3742-19-60-9419.0000. The error has been corrected and the owner has requested a refund for the overpayment made.

<u>Year</u>	<u>Value</u>	<u>County</u>		<u>Total</u>
		<u>Rate</u>	<u>Tax</u>	
2001	69,700	.495	345.02	\$ 345.02 *

* This is in the City Of Conover.

Rowe, Randy Joe, 1812 Crafton Road, Hickory, NC 28602, Account No. 124325

Mr. Rowe appealed the value of his 1986 Regal 21 ft Boat, model 210XL. The seats are torn and ripped, floor rotted, engine compartment door torn off, and engine in need of repair. The value was reduced and a refund has been requested for the amount of overpayment made.

<u>Year</u>	<u>Value</u>	<u>County</u>		<u>Mtn View Fire</u>		<u>Total</u>
		<u>Rate</u>	<u>Tax</u>	<u>Rate</u>	<u>Tax</u>	
2001	4,350	.495	21.53	.045	1.96	\$ 23.49

- g. Waiver of Solid Waste Disposal Fees for Catawba County Historical Association for Murray's Mill Storytelling Festival on May 3, 2002.

The Catawba County Historical Association sponsored a Murray's Mill Storytelling Festival for students from local school systems on May 3, 2002. There were over 2,000 students in attendance. Mr. Paul A. Beatty, Jr. requested a waiver of solid waste disposal fees for one 30 cubic yard waste container. Garbage Disposal Service/Republic Waste donated the cost of the container and hauling of the container to the Blackburn Landfill. The Board of Commissioners needs to formally approve waiver of

the solid waste tipping fee for one 30 cubic yard waste container as communicated to the Commissioners by staff on April 25.

- h. Request from Newton Merchants Association for use of 1924 Courthouse grounds for the Annual Soldiers Reunion, August 10-17, 2002.

Commissioner Huffman made a motion to approve the consent agenda. The motion carried unanimously.

End Consent Agenda

9. Departmental Reports:

a. Finance:

1. Dispute Resolution Policy. **(Removed from consent.)**

County Staff Attorney Debra Bechtel said the Board adopted amendments to the County Code, Chapters 230 (Purchasing) and 508.30-508.50 (Architectural), to comply with NCGS 143-128. The new state law covers increased bidding thresholds, new contracting methods and mandates new requirements for minority contracting, dispute resolution and reporting for building construction. These rules apply for any building construction project. Upon the Board's adoption of a dispute resolution policy, the County will be in full compliance of the new law. The Policy and Goals Subcommittee recommends that the Board of Commissioners adopt the "Rules Implementing Mediated Settlement Conferences in Catawba County Construction Projects."

RULES IMPLEMENTING MEDIATED SETTLEMENT CONFERENCES IN CATAWBA COUNTY CONSTRUCTION PROJECTS Adopted: _____

Table of Rules

- | | RULE |
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| 2. | Selection of Mediator <ul style="list-style-type: none">A. Selection of Certified Mediator by Agreement of the PartiesB. Nomination and Court Approval of a Non-Certified MediatorC. Appointment of Mediator by Catawba CountyD. Mediator Information DirectoryE. Disqualification of Mediator |
| 3. | The Mediated Settlement Conference <ul style="list-style-type: none">A. Where Conference is to be HeldB. When Conference is to be HeldC. Request to Extend Deadline for CompletionD. RecessesE. The Mediated Settlement Conference shall not be cause for the Delay of the Construction Project which is the focus of the Dispute |
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| 5. | Authority and Duties of Mediators <ul style="list-style-type: none">A. Authority of Mediator. |

- B. Duties of Mediator
- 6. Compensation of the Mediator
 - A. By Agreement.
 - B. By Appointment
- 7. Mediator Certification
- 8. Rule Amendments
- 9. Time Limits

RULE 1. INITIATING MEDIATED SETTLEMENT CONFERENCES

A. Purpose of Mandatory Settlement Conferences. Pursuant to Catawba County Code Chapters 230.09(H) and 508.50, these Rules are promulgated to implement a system of settlement events which are designated to focus the parties' attention on settlement rather than on claim preparation and to provide a structured opportunity for settlement negotiations to take place. Nothing herein is intended to limit or prevent the parties from engaging in settlement procedures voluntarily at any time prior to or during commencement of the dispute resolution process.

B. Initiating the Dispute Resolution Process

1. Any party to a Catawba County contract governed by Catawba County Code Chapters 230 or 508.30-50 and who is a party to a dispute arising out of the construction process in which the amount in controversy is at least \$15,000 may submit a written request to Catawba County for mediation of the dispute.
2. Prior to submission of a written request for mediation to Catawba County, the parties requesting mediation,
 - a. If a prime contractor, must have first submitted its claim to the Project Designer (Architect, Engineer or head of project as designated by County) for review. If the dispute is not resolved through the Project Designer's instructions, then the dispute becomes eligible for mediation in this dispute resolution process, and the party may submit their written request for mediation to Catawba County.
 - b. If the party requesting mediation is a subcontractor, it must first have submitted its claim for mediation to the prime contractor with whom it has a contract. If the dispute is not resolved through the Prime Contractor's involvement, then the dispute becomes eligible for mediation in this dispute resolution process, and the party may submit its written request for mediation to Catawba County.
 - c. If the party requesting mediation is the Project Designer, then it must first submit its claim to Catawba County to resolve. If the dispute is not resolved with Catawba County's involvement, then the Project Designer's dispute is eligible for mediation in this dispute resolution process, and the Project Designer may submit its written request to Catawba County for mediation.

RULE 2. SELECTION OF MEDIATOR

A. Selection of Certified Mediator by Agreement of the Parties. The parties may select a certified mediator pursuant to the Rules by agreement within 21 days of requesting mediation. The requesting party shall file with Catawba County a Notice of Selection of Mediator by Agreement within 10 days of the request; however, any party may file the notice. Such notice shall state the name, address and telephone number of the mediator selected; state the rate of compensation of the mediator; state that the mediator and the other parties have agreed upon the selection and rate of compensation; and state that the mediator is certified pursuant to these Rules.

B. Nomination and Catawba County Approval of a Non-Certified Mediator. The parties may select a mediator who does not meet the certification requirements of these Rules but who, in the opinion of the parties and Catawba County is otherwise qualified by training or experience to mediate the action.

If the parties select a non-certified mediator, the requesting party shall file with Catawba County a Nomination of Non-Certified Mediator within 10 days of the request. Such nomination shall state the name, address and telephone number of the mediator; state the training, experience or other qualifications of the mediator; state the rate of compensation of the mediator; and state that the mediator and opposing counsel have agreed upon the selection and rate of compensation.

Catawba County shall rule on said nomination, shall approve or disapprove of the parties' nomination and shall notify the parties of its decision.

C. Appointment of Mediator by Catawba County. If the parties cannot agree upon the selection of a mediator, either the party or party's attorney shall notify Catawba County and request, on behalf of the parties, that Catawba County appoint a mediator. The request for appointment must be filed within 10 days after request to mediate and shall state that the parties have had a full and frank discussion concerning the selection of a mediator and have been unable to agree. The request shall state whether any party prefers a certified attorney mediator, and if so, Catawba County shall appoint a certified attorney mediator. If no preference is expressed, Catawba County may appoint a certified attorney mediator or a certified non-attorney mediator.

D. Mediator Information Directory. To assist the parties in the selection of a mediator by agreement, the parties are free to utilize the list of certified mediators maintained in any county participating in the Superior Court Mediation Settlement Conference Program which Catawba County does.

E. Disqualification of Mediator. Any party may request replacement of the mediator by Catawba County for good cause. Nothing in this provision shall preclude mediators from disqualifying themselves.

RULE 3. THE MEDIATED SETTLEMENT CONFERENCE

A. Where Conference is to be Held. Unless all parties and the mediator otherwise agree, the mediated settlement conference shall be held in Catawba County. The mediator shall be responsible for reserving a place and making arrangements for the conference and for giving timely notice of the time and location of the conference to all attorneys, unrepresented parties and other persons and entities required to attend.

B. When Conference is to be Held. The deadline for completion of the mediation shall be not less than 30 days nor more than 60 days after the naming of the mediator.

C. Request to Extend Deadline for Completion. A party, or the mediator, may request that Catawba County extend the deadline for completion of the conference. Such request shall state the reasons the extension is sought and shall be served by the moving party upon the other parties and the mediator. If any party does not consent to the request, said party shall promptly communicate its objection to Catawba County.

Catawba County may grant the request by setting a new deadline for completion of the conference or deny the request to extend the deadline.

D. Recesses. The mediator may recess the conference at any time and may set times for reconvening. If the time for reconvening is set before the conference is recessed, no further notification is required for persons present at the conference.

E. The mediated settlement or the matter subject of the mediation conference shall not be cause for the delay of the construction project which is the focus of the dispute.

RULE 4. DUTIES OF PARTIES AND OTHER PARTICIPANTS IN THE DISPUTE RESOLUTION PROCESS

A. Attendance.

1. All parties to the dispute originally presented to the Designer or Prime Contractor or County for initial resolution must attend the mediation. Failure of a party to a construction contract to attend the mediation will result in Catawba County's withholding of monthly payment to that party until such party attends the mediation.
2. Attendance shall constitute physical attendance, not by telephone or other electronic means. Any attendee on behalf of a party must have authority from that party to bind it to any agreement reached as a result of the mediation.
3. Attorneys on behalf of parties may attend the mediation but are not required to do so.
4. Sureties or insurance company representatives are not required to attend the mediation unless any monies paid or to be paid as a result of any agreement reached as a result of mediation require their presence or acquiescence. If such agreement or presence is required, then authorized representatives of the surety or insurance company must attend the mediation.

B. Finalizing Agreement. If an agreement is reached in the conference, parties to the agreement shall reduce the terms to writing and sign it along with their counsel, if counsel is present.

C. Mediation Fee. The mediation fee shall be paid in accordance with N.C.G.S. 143-128(g).

D. Failure to compensate mediator. Any party's failure to compensate the mediators in accordance with N.C.G.S. 143-128(g) shall subject that party to a withholding of said amount of money from the party's monthly payment by Catawba County.

RULE 5. AUTHORITY AND DUTIES OF MEDIATORS

A. Authority of Mediator.

1. Control of Conference. The mediator shall at all times be in control of the conference and the procedures to be followed.
2. Private Consultation. The mediator may communicate privately with any participant or counsel prior to and during the conference. The fact that private communications have occurred with a participant shall be disclosed to all other participants at the beginning of the conference.
3. Scheduling the Conference. The mediator shall make a good faith effort to schedule the conference at a time that is convenient with the participants, attorneys and mediator. In the absence of agreement, the mediator shall select the date for the conference.

B. Duties of Mediator

1. The mediator shall define and describe the following at the beginning of the conference:
 - a. The process of mediation;
 - b. The difference between mediation and other forms of conflict resolution;
 - c. The costs of the mediated settlement conference;
 - d. That the mediated settlement conference is not a trial, the mediator is not a judge, and the parties retain their legal rights if they do not reach settlement;
 - e. The circumstances under which the mediator may meet and communicate privately with any of the parties or with any other person;
 - f. Whether and under what conditions communications with the mediator will be held in confidence during the conference;
 - g. The inadmissibility of conduct and statements as provided by N.C.G.S. 7A-38.1(1);

- h. The duties and responsibilities of the mediator and the participants; and
 - i. That any agreement reached will be reached by mutual consent.
2. Disclosure. The mediator has a duty to be impartial and to advise all participants of any circumstance bearing on possible bias, prejudice or partiality.
3. Declaring Impasse. It is the duty of the mediator to timely determine that an impasse exists and that the conference should end.
4. Reporting Results of Conference. The mediator shall report to Catawba County within 10 days of the conference whether or not an agreement was reached by the parties. If an agreement was reached, the report shall state the nature of said agreement. The mediator's report shall inform Catawba County of the absence of any party known to the mediator to have been absent from the mediated settlement conference without permission. Catawba County may require the mediator to provide statistical data for evaluation of the mediated settlement conference program.
5. Scheduling and Holding the Conference. It is the duty of the mediator to schedule the conference and conduct it prior to the deadline of completion set by the Rules. Deadlines for completion of the conference shall be strictly observed by the mediator unless said time limit is changed by a written order from Catawba County.

RULE 6. COMPENSATION OF THE MEDIATOR

- A. By Agreement. When the mediator is stipulated by the parties, compensation shall be as agreed upon between the parties and the mediator provided that the provision of N.C.G.S. 143-128(g) are observed.
- B. By Appointment. When the mediator is appointed by Catawba County, the parties shall compensate the mediator for mediation services at the rate in accordance with the rate charged for Superior Court mediation. The parties shall also pay to the mediator a one-time per case administrative rate in accordance with the rate charged for Superior Court mediation, which is due upon appointment.

RULE 7. MEDIATOR CERTIFICATION.

All certified mediators shall be properly certified in accordance with the rules certifying mediators in Superior Court in North Carolina. (Except when otherwise allowed by Catawba County upon the request of the parties to the mediation.)

When selecting mediators, the parties may designate a preference for mediators with a background in construction law or public construction contracting. Such requirements, while preferred, are not mandatory under these Rules.

All mediators chosen must either demonstrate they are certified in accordance with the Rules Implementing Scheduled Mediated Settlement Conference in Superior Court or must gain the consent of Catawba County to mediate any dispute in accordance with these Rules.

RULE 8. RULE MAKING.

These Rules are subject to amendment by Catawba County at any time the County deems it appropriate.

RULE 9. TIME LIMITS.

Any time limit provided for by these Rules may be waived or extended by the mediator the County appoints for good cause shown. If the mediator has not yet been appointed, the Designer of Record shall decide all waivers or extensions of time for good cause shown.

Commissioner Barnes made a motion to approve the Rules Implementing Mediated Settlement Conferences in Catawba County Construction Projects. The motion carried unanimously.

b. Public Health Department:

1. Resolution to continue Numeric Grading System. **(Removed from consent.)**

Mr. Barry A. Blick, Public Health Director, gave a summary of the Restaurant Grading Pilot Project survey results. He said the Catawba County Health Department has been, for several years, a part of a pilot project that has tested a numeric grading system (0-102 points) versus the traditional letter system (A,B &C). Formal survey results have documented that the new numeric grading system is valued higher than the letter grading system by restaurateurs, environmental health staff, and the public in the seven pilot counties. He said the N.C. Health Services Commission will decide at its May 2002, meeting whether to continue the pilot project and/or whether to implement the numeric system on a statewide basis. Unfortunately, non-pilot health department staffs do not understand the benefits of the numeric grading system and are stating strong opposition to its statewide implementation. State public health officials have requested support from the pilot counties for adopting the numeric grading system. The Catawba County Board of Health adopted a resolution in support of the new numeric grading system. The Board of Health Chairperson, the Health Director, and Environmental Health staff will testify before the N.C. Health Services Commission in favor of adopting the numeric system statewide or at least allowing Catawba County to retain the new system. Mr. Blick requested that the Catawba County Board of Commissioners adopt the following resolution which is a companion to the one adopted by the Catawba County Board of Health. These resolutions will be submitted to the Health Services Commission.

Mr. Blick said most of his colleagues across the state are opposed to the change due to a lack of understanding of what the pilot numeric system has accomplished and that people resist change. Mr. Blick said his staff took the challenge and did a good job and recommends the Board of Commissioners adopt a resolution that encourages, as the state staff encourages, the Commission for Health Services to adopt the statewide implementation of the numeric grading system and at least the pilot counties be allow to retain the superior system rather than being asked to revert back to the traditional letter system (A,B,C) or a combination of the A,B,C scorecard and a larger numeric scorecard.

Mr. Lundy said the NC Public Health Commission staff is recommending the change and since the Health Directors Association was split or voted against making the change, the NC County Commissioners Association feels they cannot take a position to support the numeric system since the health directors are an affiliate of the association. Mr. Lundy encouraged the Commissioners to contact Commission members of the Health Commission to let them know Catawba County is happy with the numeric system and would like it to continue in Catawba County.

**RESOLUTION NO. 2002-09
PUBLIC HEALTH NUMERIC GRADING SYSTEM**

WHEREAS, the Catawba County Board of Health has been a part of the ongoing Pilot Project of restaurant and other foodservice inspections in an effort to better project the public health; and,

WHEREAS, the Catawba County Board of Health advocates innovative methods of working with both citizens and the foodservice industry and believe the posting of numerical scores to better inform the consumers of the sanitary status of food handling establishments and to encourage improvement of the sanitation level of these facilities; and,

WHEREAS, the Catawba County Health Department undertook an extensive education program that enhanced the public's knowledge of the sanitation grading system, and staff has received a very positive response from the public on the numerical posting of the score; and,

WHEREAS, the owners and operators of foodservice establishments have been accepting and appreciative of the numerical score card in Catawba County; and,

WHEREAS, the Environmental Health staff feels that the Pilot Project system leads to more accurate grading of the sanitation conditions present in restaurants and food stands.

NOW, THEREFORE, BE IT RESOLVED that the Catawba County Board of Commissioners respectfully request that the Pilot Project method of numerical grading be expanded statewide to better protect the citizens of the State of North Carolina.

Adopted this 6th day of May 2002.

/s/ W. Steve Ikerd, Chairman, Catawba County Board of Commissioners

Commission Huffman said this is a good program and she was proud Catawba County took on the pilot program.

Commissioner Beatty said this was an excellent program for Catawba County. She commended the Public Health staff for posting scores on drive-up windows at restaurants.

Commissioner Barnes encouraged the Commissioners to make phone calls to support the numeric grading system.

Commissioner Hunsucker said he has only heard positive comments about the numeric grading system and he would make some phone calls to support the system.

Chairman Ikerd thanked the Public Health staff for all the hard work on the numeric grading system. He said he liked the numeric system.

Commissioner Barnes made a motion to adopt the Public Health Numeric Grading System Resolution. The motion carried unanimously.

c. Utilities and Engineering:

1. Proposed 2002 Community Development Block Grant Infrastructure Project (Advent Crossroads).

Mr. Barry B. Edwards, Utilities and Engineering Director said there was an informational meeting sponsored by the DCA regarding CDBG Infrastructure grants in Raleigh on April 24, 2002. During the meeting, DCA staff unveiled guidelines for the new non-competitive CDBG Infrastructure grant application process.

During the upcoming round of funding, \$3.6 million is available to non-entitlement and non 21st Century Communities for water and sewer projects. Therefore with individual project funding available up to \$850,000, a limited number of "first come, first served" project awards is anticipated. They were told the window to begin the application process opened on May 1, 2002. The important issue associated with initiating the process is showing evidence of being ready to proceed. As a result of the timely advise and assistance from the Western Piedmont Council of Governments (WPCOG), County staff was able to identify a proposed project and begin the process evidencing readiness to proceed. The project identified, water service to the Advent Crossroads community, will provide much needed municipal water service to an area that is effected not only by a receding water table and commonly found high iron levels in the ground water, but also ground water contamination from petroleum sources. The identified area of need, the Advent Cross Roads Project, is estimated to cost \$1,000,000. The estimated cost associated with this project is increased by the need for a booster pump station and water storage tank required due to elevations in the Advent Crossroads area. Critical items needed to show readiness such as the first public hearing, income surveys of the project area, Preliminary Engineering Report, and documentation of health need have been completed, or are currently being prepared by County staff and/or consultants. An additional item that must be provided is a letter of commitment of local match funding by Catawba County. The City of Hickory has committed to supply the water at outside rates and maintain the waterlines. In addition, in this funding round, to maximize the benefit to low and moderate-income people, a local match of \$150,000 in budgetary funds, and waived capital and tap fees are recommended due to the available funds and expected competition. The items necessary to indicate readiness to proceed was to be compiled by May 1. As a result of prompt planning by County staff and WPCOG, income surveys of the project area, the Preliminary Engineering Report and documentation of health need was completed by May 1. Catawba County's opportunity to obtain CDBG grant funds for water service to Advent Crossroads can be greatly increased by providing the necessary financial commitment letter as soon as possible. Financial commitment will be made contingent upon grant approval,

therefore Catawba County will only provide this funding if the \$850,000 grant is approved by DCA.

Mr. Edwards said the Public Works Subcommittee recommended that the Board of Commissioners approve the proposed Advent Cross Roads CDBG Project and support a letter of commitment of local match funding of \$150,000 and waived capital fees for the identified targeted low to moderate income citizens from the Board of Commissioners to DCA.

Mr. Edwards said since this to be on a first come, first served basis, his staff called at 12:01 a.m., May 1 and left a message on the information system. Staff followed with a faxed copy. Mr. Edwards said staff was informed the rules had been changed.

Deputy County Manager Steve Wyatt said originally staff was told grants would be made on a first come, first served basis if you met the criteria. Mr. Wyatt talked with Ms. Liz Wolfe, Program Administrator for CDBG, Department of Commerce, and found the criteria for grant funds now includes need, quality of previous grant work, and track record of implementation. Ms. Wolfe said there are other factors such as regional distribution. Mr. Wyatt asked Ms. Wolfe about regional distribution and was told there are others interested in seeing where the money goes which is politics. Ms. Wolfe will be making a recommendation to Secretary of Commerce Jim Fain within the next two weeks. The Secretary of Commerce will decide which projects will be funded. Catawba County is competing with 12 other counties for CDBG grant funds which range from \$600,000 to \$850,000 and there is only \$3.6 million available in federal funds; therefore, everyone will not get funded. He said Catawba County's opportunity to obtain CDBG grant funds for this project can be greatly increased by providing the necessary financial commitment letter as soon as possible. He encouraged Board members, as well as citizens, in the Advent Crossroads community to call Governor Easley's office right away at 1-800-662-7952 requesting support of the grant application.

Mr. Edwards also encouraged everyone to call and send letters to the legislative delegation.

Chairman Ikerd said over the past seven years the Commissioners have aggressively tried to get water throughout the county. There is water to all the outlining schools, a lot of the fire departments and areas in need. He said some grants have been received but most were funded by taxpayers. He said an elderly lady called him several weeks ago and her second well had gone dry. He said the grant is a small portion of what the cost will be but certainly would help, and now we are finding the state is playing politics and not being fair with the guidelines they set for the grant money. He encouraged the Commissioners and citizens to contact the legislative delegation.

Mr. Edwards said over 90 percent of the residents in this area are low to moderate income residents. He said over half of these residents had been in his office requesting water.

Commissioner Huffman requested that staff fax a letter today and she encouraged the commissioners to follow up with phone calls.

Commissioner Barnes suggested contacting Secretary Fain.

Mr. Lundy recommended that Scott Millar could contact Secretary Fain.

Commissioner Huffman said she would also contact Congressman Ballenger's office.

Commissioner Huffman made a motion to approve the Advent Crossroads CDBG Project and authorized a letter of financial commitment. The motion carried unanimously.

2. Land Clearing Debris Fees.

Mr. Barry B. Edwards, Utilities and Engineering Director, said staff had analyzed operating costs in each of the four following areas of Landfill Operations:

1. Sanitary Landfill
2. C & D Landfill

3. LCD/C&D Processing and Grinding
4. Convenience Centers

Mr. Edwards said In order to recommend any fee adjustments that may need to occur to balance revenues and expenditures in the up-coming fiscal year. This year's analysis is especially important due to the cost of construction of the new C & D Landfill and the impact caused by changing the County's fee structure from per ton charges to per load charges during fiscal year 2000/01 for grindable and non-grindable LCD waste disposal. Both have the following impact to the Solid Waste Division's operational expenses:

- a) The current \$30 per ton MSW (municipal solid waste) Landfill tipping fee and special waste handling fees are unchanged.
- b) Fee increases for C&D Landfill disposal are recommended to (1) offset the cost of constructing the County's new C & D Landfill, which is needed to replace the existing unit that will reach capacity in July of this year, and (2) recover the revenues lost by changing the County's fee structure from per ton charges to per load charges for non-grindable LCD waste disposal/land filling. To meet all Federal and State regulations, the County's cost for constructing the new C&D Landfill is approximately \$1.3 million. With a full year of operations employing the per load fee structure, it has been discovered that fees are not covering the County's current expenses.
- c) Prior to changing the fee structure, the charge for disposal of non-grindable LCD waste was \$10 per ton; the current per load fee structure is achieving about \$5 per ton revenue. Fee increases for LCD grindable debris handling, processing, and grinding are recommended to off-set the loss of revenues caused by changing the County's fee structure from per ton charges to per load charges during fiscal year 2000/01. The County currently averages \$7.46 per ton revenue for grindable waste and its cost for processing after accounting for mulch sales is \$30.70 per ton; the County will avoid \$13.75 in land filling cost associated with its new C&D Landfill, so the net cost to County will be \$16.95 per ton beginning in July of this year. In addition, the County has maintained an overabundance of mulch over the past 18 months; on the other hand, compost is sold before it matures. Based on these facts, staff recommends the County lower its mulch sale price and raise compost price to meet market demand.
- d) Last year the County did not receive landfill tipping fee revenue from 9,028 tons of waste originating at our Convenience Centers. At a cost of \$30 per ton the result was \$270,840 in revenue shortfall. When considering all revenues collected associated with Convenience Center operations, the Centers lost \$246,000, so other Solid Waste clientele is subsidizing our Convenience Center users. To correct this deficient, staff recommends the following fee adjustments and actions:
 1. Continue to accept recyclable byproducts for free, but completely stop the recyclable credit of \$1.00 per bag. A credit is no longer needed to provide an incentive for citizens to reduce waste. Staff feels that if recyclables are accepted free of charge the resident has already saved money by removing this byproduct from their waste stream. Avoidance of the solid waste disposal fee is their incentive to reduce waste. Our current recyclable credit is only cumbersome and confusing for both citizen and operator.
 2. Incorporate the current vehicle entrance fee in the cost per load. By doing so, it also makes the fee schedule easier to understand and reduces the chance of operator mistakes.
 3. Raise rates to reflect the true cost of operating the Centers.

Mr. Edwards said the net loss in revenues created by changing the County's fee structure from per ton charges to per load charges this fiscal year is \$406,045; without an increase in fees, the County's revenue shortfall will increase to \$538,542 next fiscal year. He said revenues derived from current Convenience Center fees do not cover the operational cost of the centers.

Staff met with area contractors on April 29, 2002, to discuss the proposed fees changes. In an effort to assist area contractors with the impact of the fee increase, staff recommended the increases be implemented in two equal phases with phase one on September 1, 2002, and phase two on January 1, 2003, as outlined in the following fee schedules. However, the LCD/C&D (grindable debris) Processing Center Operations will lose approximately \$38, 025 in revenues and the LCD/C&D (non-grindable debris) Landfill Operations will lose approximately \$163, 911, for a total estimated combined fiscal year loss of \$201, 936.

Mr. Edwards said the Public Works Subcommittee recommended that the Board of Commissioners approve the following Solid Waste Fee changes for 1) C&D (construction debris) Landfill disposal, 2) LCD (land clearing debris) grindable debris handling, processing, and grinding, implemented in two equal phases with phase one effective on September 1, 2002, and phase two on January 1, 2003, and 3) Convenience Center handling and disposal, effective July 1, 2002.

Proposed Fee Schedule for C&D Non-grindable Debris:

	<u>Current</u>	<u>September 2002</u>	<u>January 2003</u>
- Demolition Debris waste:	\$ 7.50 min \$15.00/ton	\$ 8.75/min \$19.50/ton	\$ 10.00/min \$ 19.50/ton
- Wood with more than 25% sawdust			
- Wood longer than 8 ft			
- Painted, treated or creosote wood			
- Brick/Block & Concrete (with reinforcement material and/or contaminated with other waste)			
- Chipboard			
- Pressboard			
- Drywall			
- Built-up Roofing			
- Other Non-grindable Materials:	\$2.00 min \$4.00/ton	\$ 2.50 /min. \$ 5.00 /ton	\$ 3.00 /min. \$ 6.00 /ton
- Brick/Block & Concrete (without reinforcement materials and separated from other waste)			
- Sawdust			
- Furniture Wood Waste (less than 2 foot in length)			
* These non-grindable byproducts have beneficial use in Landfill operations from time to time which warrants the lessor fee.			

Proposed Fee Schedule for LCD Non-grindable Debris:
(Debris must be buried in C&D Landfill)

<u>Vehicle Type</u>	<u>Current FY01/02</u>	<u>September 2002</u>	<u>January 2003</u>
Pick-up Truck	\$ 4.00 per load	\$ 6.00/load	\$ 8.00/load
Single Axle	\$40.00 per load	\$ 55.00/load	\$ 70.00/load
Tandem Axle	\$ 70.00 per load	\$ 95.00 /load	\$120.00 /load
Tri-Axle	\$ 80.00 per load	\$107.50/load	\$135.00/load
Trailer Dump up to 30'	\$ 90.00 per load	\$120.00/load	\$150.00/load
Trailer Dump 31' to 39'	\$100.00 per load	\$135.00/load	\$170.00/load
Trailer Dump over 39'	\$110.00 per load	\$150.00/load	\$190.00/load
Rear-end Loader (Mechanical Compacted Loads)	\$ 15.00 per ton	\$ 17.25/ton	\$ 19.50/ton

Note: These items will be charged on a per load basis. The amount charged will depend on the type of vehicle as listed in the above chart. Notwithstanding mechanically compacted loads such as city operated rear-end loaders. Materials brought to the landfill in a vehicle with mechanical compaction equipment such as City operated rear-end loaders will be charged by the ton.

Construction materials that are separated into grindable waste will be forwarded to the LCD Processing Center and charged accordingly.

Proposed Fee Schedule for LCD/C&D Grindable Debris:

<u>Vehicle Type</u>	<u>Current</u>	<u>September 2002</u>	<u>January 2003</u>
Pick-up Truck	\$ 2.00 per load	\$ 3.50/load	\$ 5.00/load
Single Axle	\$15.00 per load	\$20.00/load	\$ 25.00/load
Tandem Axle	\$ 18.00 per load	\$42.00/load	\$ 60.00/load
Tri-Axle	\$ 21.00 per load	\$46.50/load	\$ 72.00/load
Trailer Dump up to 30'	\$ 30.00 per load	\$72.50/load	\$115.00/load
Trailer Dump 31' to 39'	\$ 40.00 per load	\$84.00/load	\$128.00/load
Trailer Dump over 39'	\$ 50.00 per load	\$ 95.00/load	\$140.00/load
-Rear-end Loader (Mechanical Compacted Loads)	\$ 10.00 per ton	\$ 13.50/ton	\$ 17.00/ton
-Demolition Debris: (Grindable)	\$ 5.00 mi \$ 10.00 per ton	\$ 6.50/min. \$ 13.50/ton	\$ 8.00/min \$ 17.00/ton-Wood
lumber less than 8 ft. (untreated, unpainted, or non creosote)			
-Pallets			
-Grass and leaves that need to be debagged			
-Shingles (asphalt/wood)			

Note: LCD grindable debris will be charged on a per load basis. The amount charged will depend on the type of vehicle. Notwithstanding mechanically compacted loads such as city operated rear-end loaders. Compacted loads and C&D loads will continue to be charged on a per ton basis.

Construction material must be separated into grindable waste or it will be considered landfill debris. Loads that have mixed waste will be considered non-grindable and forwarded to the C&D Landfill and charged accordingly.

Proposed Mulch & Compost Sales:

	<u>CURRENT</u>	<u>PROPOSED</u>
-Short bed ½ ton pick-up or smaller for mulch	\$ 6.00/per vehicle	\$ 5.00/per vehicle
for compost	\$ 8.00/per vehicle	\$12.00/per vehicle
-2.5 cubic yard loader bucket for mulch	\$ 8.00/scoop	\$ 6.00/per scoop
for compost	\$10.00/scoop	\$15.00/per scoop

Proposed Fee Schedule for Convenience Centers:

	<u>CURRENT</u>	<u>PROPOSED</u>
Residential Waste:		
-Minimum – Up to five 32 gallon bags	\$2.00 plus \$2 entrance fee	\$ 4.00 (no entrance fee)
-Small Truck load (6 foot bed)	\$4.00 plus \$2 entrance fee	\$ 8.00 (no entrance fee)
-Large Truck load (8 foot bed)	N/A	\$12.00 (no entrance fee)
-Excessive loads		
Truck	\$8.00 plus \$2 entrance fee	\$16.00 (no entrance fee)
-Loads with waste above truck sideboards		
-Loads with Camper tops		
Truck w/ small trailer (6'or less)	\$10 plus \$2 entrance fee	\$24.00 (no entrance fee)
Truck w/ large trailer (6.01' plus)	\$12 plus \$2 entrance fee	\$32.00 (no entrance fee)

Recyclable Byproducts: Accepted Free of Charge
 -Must be segregate and free of waste
 -Must be on current list of accepted materials

C & D LANDFILL
Operational Analysis

ANNUAL COST OF OPERATING New C&D LANDFILL

Compactor	\$ 500,000	10 yr	\$ 50,000
Equipment Maintenance	\$ 15 per hour	1,000 hours yr.	\$ 15,000
Fuel	14,400 gallons yr. at \$.90		\$ 12,960
Operator (includes benefits, uniforms, etc.)			\$ 40,000
Scale Labor (50% Scale Attendant and 25% Supervisor)			\$ 20,280
Administration Costs (10%)			\$ 35,350
Groundwater Sampling (4 wells twice per year)			\$ 6,200
Site Maintenance			\$ 6,500
Daily Cover (includes equipment and labor) \$100 hours – 8 hours per week			\$ 41,600
Construction Cost	\$1.3 million divide by 5 years		\$260,000
Cap for Close Out	\$325,000 divide by 5 years		\$ 65,000
Engineering	\$156,000 divided by 5 years		\$ 31,200
Land Cost	69 acres = \$107,000 divided by 30 years		<u>\$ 3,567</u>
Annual Cost of Operation			\$587,657

Total Tons Buried (July 2000 to June 2001) = 30,103.20
 Cost Per Ton \$ 19.52

Note: Staff has segregated grindable waste from buried or non-grindable waste. This section covers only non-grindable waste disposal – C&D Landfill Operations. The County's C&D Landfill handles two types of waste streams; they are basic non-grindable construction and building demolition debris and non-grindable LCD waste such as inert materials, unmanageable stumps, and unacceptable mixed loads not meeting federal, state or local requirements to produce saleable mulch. Staff figured all related operating costs and compares these costs to the amount of tons received over the year. Staff also incorporated the capital costs of the new C & D Landfill and predicts what it will cost next year to operate the C&D Landfill on a per ton basis with no change in waste quantity.

C&D/LCD GRINDING, MULCHING, & COMPOSTING
Operational Analysis, April 2002

ANNUAL COST OF GRINDING MULCHING, & COMPOSTING OPERATIONS
 (BLACKBURN LANDFILL LCD PROCESSING CENTER)

CBI Grinder	\$500,000	10 yr.	\$ 50,000
Morbark Grinder	\$165,000	10 yr.	\$ 16,500
Two (2) Loaders	\$220,000	8 yr.	\$ 27,500
Maintenance Truck	\$ 28,000	10 yr.	\$ 2,800
Excavator (50% of machine life)	\$ 75,000	10 yr.	\$ 7,500
Stump Splitter	\$ 40,000	10 yr.	\$ 4,000
Concrete Crusher	\$ 17,000	10 yr.	\$ 1,700
Labor - Three (3) Operators at \$19 per hour including benefits			\$118,560
Fuel - 23 gallons per hour at \$.90 (25 hours a week of equipment run time)			\$ 26,910
Equipment Maintenance			\$ 78,000
Administrative Costs (10%)			<u>\$ 35,350</u>
Total Expenditures			\$368,820
Total Expenditures			\$368,820
Total Revenue from mulch sales			<u>\$ 40,000</u>
Cost of Operation			\$328,000
C&D Landfill Space Avoidance (\$13.75 per ton avoided cost)			<u>\$146,919</u>
Adjusted Cost of Operation			\$181,081

Total Tons Ground Last Year = 10,685
 Cost Per Ton \$16.95

Note: Staff has segregated grindable from non-grindable waste. This section covers only the grindable waste – C&D/LCD Grinding, Mulching, and Composting Operations. Staff figured all related operating costs and compares these costs to the amount of tons received over the year.

In addition, the County has maintained an overabundance of mulch over the past 18 months; on the other hand, compost is sold before it matures. Based on these facts, staff recommended the County lower its mulch sale price and raise compost price to meet market demand.

Solid Waste Convenience Center:

Mr. Edwards reviewed Convenience Center statistics for calendar years 2000 and 2001. He reported the following lost revenues in Fiscal Year 2000-2001:

Newton Convenience Center -	\$44,264.81
Oxford Convenience Center -	\$31,240.96
Sherrills Ford Convenience Center -	\$41,165.63
Cooksville Convenience Center -	\$42,115.24
Blackburn Convenience Center -	\$76,900.85

Convenience Center Expenditures for FY 00-01:

Blackburn	\$164,347.66 (29%)
Cooksville	71,276.48 (13%)
Newton	120,574.31 (21%)
Oxford	105,084.03 (19%)
Sherrills Ford	102,775.88 (18%)

Percentage of Total Waste coming from Convenience Centers:

Convenience Centers	- 7%
Sanitary Landfill	- 93%

Chairman Ikerd said the landfill is a self-sustaining operation that Catawba County has run successfully over the years and it does not cost the taxpayers money. It only cost the users. He said the fees were adjusted down to a truckload lot and the increase back is not a 100 percent increase but an increase back to the level it was from per load to per truckload. He said there was a 50 percent reduction during the last year as a trial and error.

Mr. Edwards said with the per truck cost, the tonnage per truckload increased since there was an incentive to get as much on the trucks as possible. Before they were paying by the ton. The elevation in tonnage drove the losses down approximately 50 percent.

Chairman Ikerd said it was important that everyone realized that situation did happen and the increase is not a 100 percent increase but a 50 percent increase of the increase. He said for example if it is being increased by \$10 there is basically a \$5 increase because it was reduced by that much.

Mr. Edwards said the other factor was the new landfill.

Chairman Ikerd said it cost over \$1 million to add another cell. He said he was an advocate of satellite sites. If you are traveling from Springs Road to the landfill it can take up to 1 ½ hours in a tandem dump truck creating more pollution plus inconvenience to all involved. He said hopefully this program will help create a more equitable situation in the county. He said he has been an advocate for satellite sites and believes it is the right thing to do.

Commissioner Barnes said they have tried to work with the industry and are phasing the rates with a September and January fee schedule.

Commissioner Huffman said it is a fair proposal.

Commissioner Barnes made a motion to approve the aforementioned fee increases. The motion carried unanimously.

10. Attorneys' Report. None.
11. Manager's Report.

County Manager J. Thomas Lundy reminded the Board of its annual spring planning retreat, Thursday, May 9, 2002, at the Hollifield Center in Conover beginning at 8:30 a.m.

Mr. Lundy said the NC County Commissioners' Association Legislation Briefing is scheduled for May 29, in Raleigh. There is a different format this year. Instead of encouraging counties to have evening meals with their delegation they are suggesting that the commissioners meet in the morning and have lunch on the lawn with the entire general assembly. He encouraged the Commissioners to attend the briefing.

Mr. Lundy said the County has a resource city relationship with Tirana, Albania, and the group will visit Catawba County, June 1-8, 2002. They are tentatively scheduled to arrive on Saturday and attend the opening of Bakers Mountain Park. Mr. Lundy said he was planning a get together at his home on Sunday afternoon for the Commissioners, department heads, and Tirana group. Mr. Lundy said the Tirana group will be recognized at the regularly scheduled June 3 Board meeting.

Mr. Lundy announced that there would be a joint meeting between the Board of Commissioners and Planning Board on June 17, 2002, 3:00 p.m., at the Government Center, second floor meeting room, to discuss possible amendments to the Catawba County Zoning Ordinance, Section 515.239 Lake Norman Surface Water District, and updates on the four Small Area Plans in progress within the County and other areas of interest to both boards.

12. Other items of business. None.

13. Adjournment.

At 10:35 a.m., there being no further business to come before the Board, Commissioner Barnes made a motion to adjourn. The motion carried unanimously.

W. Steve Ikerd, Chairman
Catawba County Board of Commissioners

Thelda B. Rhoney
County Clerk